

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

IN RE: CAPITAL ONE CONSUMER) MDL No. 1:19-md-02915 (AJT-JFA)
DATA SECURITY BREACH LITIGATION)
)
)
_____)

This Document Relates to the Consumer Cases

**DECLARATION OF TYLER NEWBY IN SUPPORT OF AMAZON'S
REPLY IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT**

I, Tyler Newby, declare as follows:

1. I am an attorney admitted to practice in the State of California and admitted to practice as *pro hac vice* in this case. I am a partner with the law firm of Fenwick & West LLP, counsel of record for Defendants Amazon.com, Inc. and Amazon Web Services, Inc. (together, “Amazon”). I have personal knowledge of the facts in this declaration and, if called upon to do so, could and would testify competently as to the matters set forth herein.

2. Attached to Amazon’s Reply in Support of its Motion for Summary Judgment as **Exhibit G** is a true and correct copy of the Ontario Superior Court of Justice, Reasons for Decision, Class Proceedings Act, 1992, Case No. CV-19-00625030-00CP, *Rina Del Guidice and Daniel Wood v. Paige A. Thompson, Capital One Financial Corporation, Amazon Web Services, Inc., and Amazon Web Services (Canada) Inc., et al.*, 2021 ONSC 5379.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of August, 2021 in Mill Valley, California.

/s/ Tyler Newby
Tyler Newby